

Article 2: Barrio Logan Planned District

(“Barrio Logan Planned District” added 3-27-2007 by O-19592 N.S.; effective 4-26-2007.)

Division 1: General Rules

(“General Rules” added 3-27-2007 by O-19592 N.S.; effective 4-26-2007.)

§152.0100 Purpose and Intent

It is the purpose of these regulations to provide development criteria and urban design standards for the erection, construction, establishment, addition, enlargement, conversion, demolition, move on, alteration or rehabilitation of quality residential, commercial, industrial, public and quasi-public developments related to the small lot configuration and the urbanization pattern of the Barrio Logan community. The intent is to implement the Barrio Logan/Harbor 101 Community Plan and the Barrio Logan Redevelopment Plan.

(“Purpose and Intent” added 3-27-2007 by O-19592 N.S.; effective 4-26-2007.)

§152.0101 Boundaries of Planned District Area

The regulations contained in the Barrio Logan Planned District Ordinance shall apply in all subdistricts of the Barrio Logan Planned District. The boundaries of the Barrio Logan Planned District in the City of San Diego, California, and its various subdistricts as amended are designated on Map Drawing No. C-840, on file in the office of the City Clerk as Document No. OO-17746 and contained in this Division as Figure 1. The Barrio Logan Planned District is generally bounded by Commercial Street on the north, Interstate 5 on the east, Division Street on the south, and the Mean High Tide Line (Port District) on the west.

(“Boundaries of Planned District Area” added 3-27-2007 by O-19592 N.S.; effective 4-26-2007.)

§152.0102 Applicable Regulations

Where not otherwise specified in the Barrio Logan Planned District Ordinance, the following chapters of the Land Development Code apply:

Chapter 11 (Land Development Procedures);

Chapter 12 (Land Development Reviews);

Chapter 13 (Zones);

Chapter 14, Article 1 (Separately Regulated Use Regulations);

Chapter 14, Article 2, Division 1 (Grading Regulations);

Chapter 14, Article 2, Division 2 (Drainage Regulations);

Chapter 14, Article 2, Division 3 (Fence Regulations);

Chapter 14, Article 2, Division 4 (Landscape Regulations);

Chapter 14, Article 2, Division 5 (Parking Regulations);

Chapter 14, Article 2, Division 6 (Public Facility Regulations);

Chapter 14, Article 2, Division 8 (Refuse and Recyclable Materials Storage Regulations);

Chapter 14, Article 2, Division 12 (Sign Regulations);

Chapter 14, Article 3 (Supplemental Development Regulations);

Chapter 14, Article 4 (Subdivision Regulations);

Chapter 14, Article 5 (Building Regulations);

Chapter 14, Article 6 (Electrical Regulations); and

Chapter 14, Article 7 (Plumbing and Mechanical Regulations)

Where there is a conflict between the Land Development Code and the Barrio Logan Planned District Ordinance, the Planned District Ordinance shall apply. Where there is a conflict between the provisions of the Barrio Logan Planned District Ordinance and the goals and objectives of the Barrio Logan Redevelopment Plan (Ordinance No. O-17644 (New Series)), the provisions of the Redevelopment Plan shall apply. (*“Applicable Regulations” added 3-27-2007 by O-19592 N.S.; effective 4-26-2007.*)

§152.0103 Failure to Maintain

- (a) All commonly owned land, improvements and facilities shall be preserved and maintained in a safe condition and in a state of good repair. Any failure to maintain the commonly owned land, improvements and facilities shall be, and the same is hereby declared to be, unlawful and a public nuisance endangering the health, safety and general welfare of the public and a detriment to the surrounding community.

- (b) Procedures for the abatement, removal and enjoinder of such public nuisance shall be as set forth in Land Development Code Chapter 12, Article 1, Division 3 (Violations of the Land Development Code and General Remedies) in addition to other remedies as provided by law.
(*“Failure to Maintain” added 3-27-2007 by O-19592 N.S.; effective 4-26-2007.*)

§152.0104 Definitions

Artists' Studios - This includes but is not limited to work and exhibit space for artist and artisans, including individuals practicing one of the fine arts, performing arts, or skilled in an applied art or craft.

Automobile Painting, Washing and Detailing - Painting, washing, waxing, or cleaning of automobiles or similar light vehicles.

Automobile Service Stations - Establishments engaged in the retail sale of gas, diesel fuel, lubricants, parts, and customary accessory uses. This classification includes incidental maintenance and repair of automobiles and light trucks but excludes body and fender work or repair of heavy trucks or vehicles.

Banks, Credit Unions, and Savings and Loan Associations - Financial institutions including money exchange houses that provide retail banking services.

Bed and Breakfast Inns - Establishments offering lodging on a less-than-weekly basis with incidental eating and drinking services for lodgers only. A single kitchen must serve the entire premises.

Building Materials and Services - Retailing, wholesaling, or rental of building supplies or equipment.

Business, Communication and Home Services - Establishments providing appliance repair, office machine repair, building maintenance (janitorial), landscape maintenance, window cleaning, upholstering, graphic design, drafting, copying, faxing, printing or photographic services, broadcasting, recording, telephone switching centers and telegraph offices.

Catering Services - Preparation and delivery of food and beverages for off-site consumption without provision for on-site consumption.

Child Care Facilities - Large family day care homes and child care centers subject to Land Development Code Section 141.0606.

Clubs, Lodges and Fraternal Organizations - Private or non profit dining, meeting, recreational or social facilities used primarily by members and their guests.

College and Universities - Public or private educational institutions that offer a course of study leading to a recognized degree, including facilities incidental to the educational institution and which support the college or university curriculum, students or faculty.

Commercial Recreation and Entertainment - Provision for participant or spectator recreation or entertainment.

Cultural Institutions - Nonprofit institutions displaying or preserving objects of interest in one or more of the arts or sciences. As a land use classification, it includes libraries, museums and nonprofit art galleries.

Eating and Drinking Establishments - Businesses serving or selling prepared food or beverages, including alcoholic beverages for consumption on the premises. This includes but is not limited to restaurants, cafes, cocktail lounges, bars, and taverns with live entertainment. Drive-through food establishments are not permitted.

Food/Grocery Sales - Retail sales of prepared food and food for home preparation. This includes but is not limited to bakeries and bakery products, tortilla factories, seafood/meat/poultry markets, fruit and vegetable markets, candy stores, ice cream stores, delicatessens, grocery stores and supermarkets, and similar uses.

Government Offices - Administrative, clerical, or public contact offices of a government agency, including but not limited to postal facilities, together with incidental storage and maintenance facilities for vehicles.

Hotels and Motels - This includes but is not limited to establishments offering lodging with or without meals and having kitchens in no more than 60 percent of the guest units.

Laboratories - This includes but is not limited to establishments providing medical or dental laboratory services; or establishments that provide photographic, analytical or testing services.

Limited Residential - Dwelling units on upper floors of nonresidential uses.

Liquor Sales - Retail sales of alcoholic beverages pursuant to the provisions of Land Development Code Section 141.0502.

Live/Work Quarters (Lofts) - An area comprised of one or more rooms or floors in a building originally designed for industrial or commercial occupancy. The new construction shall include cooking space, sanitary facilities, and living and working space for artists, artisans, and similarly situated individuals, as permitted by land Development Code Section 141.0311.

Maintenance Repair and Service Facilities - Establishments engaged in servicing or repairing industry machines and equipment, carpentry, welding and metal forming shops, print shops, laundry and dry cleaning plants, and other similar facilities. As a land use classification, this excludes vehicle dismantling, salvage and wrecking of automobiles and of other similar light vehicles, processing of scrap metals, junk yards and storage of salvaged materials, and similar uses. Maintenance Repair and Service Facilities does not include establishments engaged in chrome plating or materials.

Manufacturing - Establishments engaged in the manufacturing, fabricating, assembly, treatment, servicing, packaging, processing, and handling of finished products and product parts primarily from previously prepared materials. Manufacturing does not include establishments engaged in chrome plating or materials.

Marine Oriented/Waterfront Dependent Uses - Manufacturing, distributing and processing of parts and equipment, and the provision of services related to marine and waterfront uses, and other supporting uses including U.S. Navy presence, research, shipping, fishing, water recreation and tourism. As a land use classification, this includes facilities that need access to the waterfront, as well as uses dependent upon servicing waterfront oriented activities. Examples include boat building, sales and related maintenance, shipping and brokerage facilities and services, marine parts sales, installation and services, marine carpentry and woodworking, sail making and repair, and cargo freight services.

Mercado District Residential - Multifamily housing, and convenience commercial services and accessory uses for primary use by residents on the premises.

Multifamily Residential - Two or more dwelling units on a lot. This classification does not include single room occupancy ("SRO") hotels.

Nonprofit, Charitable Institutions - Philanthropic, social services that promote the public health and welfare. This classification excludes residential care facilities, provisions for on-site residence or confinement, adult day care, alcohol recovery facilities, parolee rehabilitation services, emergency shelters and kitchens.

Park and Recreation Facilities - Noncommercial parks, playgrounds, gymnasiums, recreation facilities and dedicated open spaces.

Parking Structures - Freestanding parking garages or structures open to the public for a fee or off-site parking structures associated with a specific building or business.

Performing Arts/Theatres - Facilities providing live musical, dance and theatrical performances and film presentations other than those regulated as commercial or adult businesses.

Personal and Convenience Services - This includes but is not limited to the provision of personal services including barber and beauty shops, tailors, shoe repair shops, dry cleaning and laundry (excluding bulk cleaning), photocopying and self-service laundromats.

Personal Improvement Services - This includes but is not limited to the provision of instructional services or facilities, including photography, fine arts, crafts, drama, dance, music, sculpture, martial arts, driving schools, business and trade schools, weight reducing/tanning salons, health clubs/ spas and fitness studios.

Primary Health Care - Drop-in medical service facilities, including clinics, counseling and referral services to persons afflicted with bodily or mental disease or physical injury, and to persons suffering from alcohol and drug abuse without provision for on-site residence or confinement.

Professional and Business Offices - This includes but is not limited to offices of entities or organizations providing professional, executive, administrative, management, travel, real estate, insurance and consulting services including advertising, computer program design, data processing, architectural, engineering and landscape design, contractors offices, investment, legal and medical/dental offices and laboratories incidental to an office use.

Religious Assembly - Facilities for religious worship and incidental religious education.

Research and Development Facilities - Establishments primarily engaged in industrial or scientific research including limited product testing. As a land use classification, this includes but is not limited to pharmaceutical research laboratories, electron and biochemical research firms, including administrative offices and accessory use buildings commonly used in conjunction with research and development activities on the premises.

Residential Care – Twenty-four (24) hour non-medical care for adults and/or children in need of personal services, supervision, protection, or assistance essential to sustaining the activities of daily living, and facilities receiving any form of government funding or subsidy for that purpose. As a land use classification, this excludes housing for the elderly, handicapped, and nursing and convalescent homes.

Retail Sales - This includes but is not limited to department stores, drug stores, general household supplies, dispensing opticians, clothing stores, fabric stores, antique stores, art stores and art galleries, florists and florist supplies, locksmith shops, leather goods, gift shops, hardware stores, jewelry stores, furniture stores, music and video stores, resale and pawn shops, pet stores and businesses retailing the

following goods: toys, hobby materials, books, rugs and carpets, photographic supplies, electrical and electronic equipment, sporting goods, shoes, office equipment and supplies, stationery, medical supplies, bicycles (including repair), new automotive parts and accessories (excluding service and installation).

Schools, Public or Private - Public or private kindergarten, elementary or secondary schools, or other private schools that offer a curriculum comparable to that of the public schools of the State of California, excluding colleges and universities.

Senior Citizens Housing - At least one person residing in each unit shall be at least 55 years of age or physically handicapped. Senior housing may also include facilities meeting state and federal program standards for such housing, and are subject to the standards contained in Land Development Code Section 141.0310.

Single Family Residential - One dwelling unit on a lot.

Single-Room-Occupancy ("SRO") - A *dwelling unit* as defined in Land Development Code Section 113.0103 and regulated by Land Development Code Chapter 14, Article 3, Division 5.

Surface Parking - Surface parking lots offering short-term or long-term parking to the public for a fee.

Transportation Facilities and Related Storage - Rights-of-way facilities for loading, unloading, and transferring passengers, baggage, and freight transfers among different modes of transportation. As a land use classification, this includes bus terminals, shipping terminals, railroads, storage yards for buses, trolleys, and railroad cars, and related maintenance and service facilities.

Utilities - Electric distribution, gas regulating, and communication stations which do not involving aerial transmissions, which serve the immediate area provided all equipment is located within a single building. As a land use classification, this also includes facilities or infrastructure for cellular transmitting facilities subject to special standards and procedures, and all applicable provisions of the Municipal Code.

Vehicle/Equipment Repair - Repair of automobiles, trucks, recreational vehicles, motorcycles, including the sale, installation and servicing of related equipment and parts. As a land use classification, this includes auto repair shops, wheel and brake shops, tire sales and installation, tire retreading or recapping, metal recycling, body and fender shops, and similar uses, but excludes vehicle dismantling, salvage and storage of inoperative vehicles.

Vehicle/Equipment Sales and Rentals - Sale and rental of automobiles, trucks, recreational vehicles, motorcycles, auto parts, construction equipment and similar equipment, including storage of usable (operative) vehicles, and related incidental maintenance.

Wholesale, Storage and Distribution - Establishments primarily engaged in wholesaling, storage and bulk sales distribution including open air handling of materials and equipment. Typical uses include wholesale distributors, moving and storage firms, storage of ambulant vendor vehicles (such as those used to sell ice cream products), wholesale showrooms, storage warehouses, and similar uses, but excludes storage of inoperative vehicles and of flammable or hazardous materials not associated with the industrial services operating on the premises.

Wholesale and Warehouse - Storage and packaging of goods and merchandise associated with the primary on-site use, provided that the total floor area occupied for wholesaling or warehousing per business establishment does not exceed 25 percent of the total collective buildings' gross floor area.

("Definitions" added 3-27-2007 by O-19592 N.S.; effective 4-26-2007.)